

EXHIBIT A

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

EASTPOINT RECOVERY GROUP, INC.,
1807 Elmwood Avenue, Suite 300
Buffalo, New York 14207

Plaintiff,

v.

SUMMONS

Index No.:

LEMBERG LAW LLC,
43 Danbury Road
Wilton, Connecticut 06897

Defendant.

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED to appear herein and to answer the attached Verified Complaint in this action within twenty (20) days after service of this Summons if served personally upon you, or within thirty (30) days if served via the New York Secretary of State, exclusive of the day of service. You can make such appearance by serving a complete copy of your Answer, in the form required by law, on the attorneys named below, directed to the attention of the individual attorney or department whose name appears below. In case of your failure to answer, Judgment will be taken against you by default for the relief demanded in the Verified Complaint.

The basis of venue in Erie County pursuant to section 503(a) of the New York Civil Practice Law and Rules based upon the residence of the Plaintiff.

DATED: October 18, 2018

HODGSON RUSS LLP
Attorneys for Plaintiff

By: 

Steven W. Wells
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STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

EASTPOINT RECOVERY GROUP, INC.,

Plaintiff,

v.

Index No.:

LEMBERG LAW LLC,

Defendant.

COMPLAINT

Eastpoint Recovery Group, Inc. ("Eastpoint"), by and through its attorneys,
Hodgson Russ LLP, hereby alleges for its complaint against Lemberg Law LLC ("Lemberg"):

PARTIES AND JURISDICTION

1. Eastpoint is a New York corporation with its principal place of business at 1807 Elmwood Avenue, Suite 300, Buffalo, County of Erie, New York 14207.

2. Upon information and belief, Lemberg is a Connecticut limited liability company with its principal place of business at 43 Danbury Road, Wilton, CT 06897, and additional offices in California, Massachusetts, Indiana, and Washington.

3. Upon information and belief, Lemberg is a law firm specializing in representing plaintiffs in consumer debt, lemon law, fair labor, personal injury, and class action cases.

4. Upon information and belief, Lemberg attorneys hold themselves out to be licensed to practice in the state and federal courts of New York and able to represent clients in New York.

5. Lemberg transacts substantial business in New York by representing clients in hundreds of cases in New York state and federal courts. A listing of the state and federal cases in which Sergei Lemberg, Esq., the principal of Lemberg, is counsel to one of the parties is attached as **Exhibit A**.

6. Upon information and belief, Lemberg purposefully solicits clients and other business relationships in New York.

7. Upon information and belief, Lemberg owns, maintains, publishes, or is otherwise responsible for the website known as leMBERGLAW.COM (the “Lemberg Website”).

8. Lemberg uses the Lemberg Website to transact business in New York, by, among other things, soliciting potential clients in New York.

9. Lemberg directly solicits potential clients in New York using the same pages of the Lemberg Website that contain false and misleading statements about Eastpoint as described more fully below.

10. This Court has jurisdiction over Eastpoint pursuant to CPLR § 301. This Court has jurisdiction over Lemberg pursuant to CPLR § 302(1).

11. Venue is proper in Erie County pursuant to CPLR 503(a) and (c) because Eastpoint is a domestic corporation with its principal office located in Erie County, and is therefore a resident of Erie County.

FACTUAL BACKGROUND

12. Eastpoint is a professional receivables and collections management firm. Eastpoint collects consumer debt on a consigned basis for its debt-buyer clients. As of September 12, 2018, it had an “A+” rating from the Better Business Bureau (“BBB”) and has had only seven (7) complaints filed against it in the seven years Eastpoint has been in business.

A copy of the website page for Eastpoint from the BBB's website from October 12, 2018 is attached as **Exhibit B**.

13. In the ordinary course of its business, Eastpoint contacts hundreds of thousands of consumers each year through legal means.

14. Lemberg is a law firm that holds itself out as having expertise in, among other practice areas, "Debt and Credit," which, according to the Lemberg Website includes the sub-categories of "Debt Collection Harassment" and "Cell Phone Harassment."

15. The Lemberg Website contains an entire separate page devoted solely to Eastpoint (the "Lemberg Eastpoint Site"). A true and correct printed copy of the Lemberg Eastpoint Site is attached as **Exhibit C**. Upon information and belief, the Eastpoint Lemberg Site was revised following the email exchange that is attached hereto as Exhibit E. When printed, the contents of the Lemberg Eastpoint Site are eight pages long.

16. A Google search for "Eastpoint Recovery Group" returns the Lemberg Eastpoint Site as the top hit, even above Eastpoint's own website. A copy of a Google search for "Eastpoint Recovery Group" is attached as **Exhibit D**.

17. Eastpoint's counsel has demanded that Lemberg take down the Lemberg Eastpoint Site on two occasions. Most recently Eastpoint's counsel, Steven W. Wells, Esq., sent an email to Jody Burton, Esq., the Managing Attorney of Lemberg, demanding that the Lemberg Eastpoint Site be taken down. A copy of Mr. Wells' email and Sergei Lemberg's response dated October 11, 2018, acknowledging that false statements were on the site, and refusing to remove the site, is attached as **Exhibit E**.

18. The Lemberg Website has and will continue to harm Eastpoint as it is generating an unusually high number of claims asserted by Lemberg on account of consumers

(likely because a consumer will “google” Eastpoint and the Lemberg Eastpoint Site comes up first and essentially conveys the message that, if a consumer has been contacted by Eastpoint, he or she should contact Lemberg, not Eastpoint).

19. Eastpoint is not the only business Lemberg has defamed. A copy of Lemberg Law’s Yelp reviews, the latest from an attorney who “has been falsely maligned by [Lemberg] in his pathetic attempts to get new business,” and who is “livid and will file suit if necessary to put a stop to this defamatory conduct” is attached as **Exhibit F**.

20. Lemberg has asserted demands and/or commenced lawsuits against Eastpoint for sixteen (17) different consumers since January 2018. No other firm has asserted more than one claim on behalf of a consumer against Eastpoint during that period.

21. The total number of claims asserted in the last six months against Eastpoint by firms other than Lemberg is five or less, with no one firm having asserted more than one claim or filed more than one lawsuit.

22. At no time during Eastpoint’s existence has one firm asserted nearly the number of claims on behalf of consumers alleging violations of the FDCPA and/or filed actions anywhere close to the number that Lemberg has filed just in 2018.

23. The headline at the top of the Lemberg Eastpoint Site reads: “Eastpoint Recovery Group ERG Collections Complaints. Stop the calls”. The sub-headline following this is: “Many consumers bring up complaints about harassing collections calls”. This is followed by “February 15, 2018.”

24. The headline and sub-headline of the Lemberg Eastpoint Site, followed by a date, are designed to, and in fact do, create in the reasonable reader or “least sophisticated

consumer”¹ the false inference, implication, or innuendo that the content of the Eastpoint page on the Lemberg Website is factual and akin to a news article, when in fact it is not.

25. The “sub-headline” that many consumers bring up complaints about harassing collection calls is false and misleading as Eastpoint makes thousands of collection calls each day and, prior to Lemberg’s unlawful solicitation, would receive no more than one or two claims on average during any given month. Considering that Eastpoint’s collectors make more than 50,000 calls per month, the fact that one or two claims are asserted against Eastpoint each month by consumers cannot be labelled “many” by any reasonable interpretation of the actual facts.

26. Another “sub-headline” also contains a general assertion that “[c]omplaints filed against Eastpoint Recovery Group cite allegations of rude and abusive telephone conduct by its collections staff.” Ex. C

27. This “sub-headline” on the Lemberg Eastpoint Site also contains numerous statements regarding allegations ostensibly made in complaints by consumers against Eastpoint including, but not limited to, the following:

A. That Eastpoint threatened a consumer that it was going to garnish the consumer’s wages.

B. That Eastpoint was harassing a consumer and threatening to put liens on his house.

¹The “least sophisticated consumer” standard is the standard against which a debt collection agency’s collection activity is “judged” under the Fair Debt Collection Practices Act. Consumer attorneys take advantage of this standard in asserting claims against debt collection companies so they should, therefore, be held to the same standard when analyzing their own conduct. The standard for the “least sophisticated consumer” is one that is presumed to possess a rudimentary amount of information about the world and a willingness to read a collection notice with some care.

C. That Eastpoint had been finding the names and phone numbers of family members of the consumer and contacting them as well.

Id.

28. Lemberg's assertions regarding allegations contained in complaints against Eastpoint purport to quote from actual complaints without identifying the name of the case, the identity of the person making the allegations, any relevant surrounding facts, whether such any allegations were ever proven, and the disposition of the case. The quoted portions of the cases are merely allegations, not conduct that Eastpoint has been found to have engaged in.

29. The false and misleading text beneath the fourth sub-heading (*see* Exhibit C at pp. 3-4) is designed to, and in fact does, create in the reasonable reader and certainly the "least sophisticated consumer," through the use of implication, suggestion, and innuendo, the false inference that allegations made against Eastpoint have been proven or verified when, in fact, they have not been; that Eastpoint engaged in the alleged conduct when in fact it did not; that Eastpoint has been subjected to more complaints or lawsuits than it has been; and that plaintiffs or complainants have succeeded in their claims against Eastpoint, when in fact they have not.

30. While a person with a law degree or a licensed attorney clearly would know the difference between allegations contained in a complaint and conduct that a defendant is actually found to have engaged in, a person without such training is likely to read the statements made on the Lemberg Eastpoint Site and believe that Eastpoint actually engaged in the conduct alleged, especially using the "least sophisticated consumer" standard that is employed by the Fair Debt Collection Practices Act (the "FDCPA").

31. Lemberg published these false allegations with reckless disregard for the truth, without making any reasonable effort to verify the allegations, or to state that Eastpoint denied the allegations, and that the allegations were never proven.

32. The first sub-heading on the Lemberg Website's Eastpoint page is: "What is Eastpoint Recovery Group – ERG?". Beneath that heading is the following text:

Eastpoint Recovery Group Inc. or ERG is a third-party collection agency located in Buffalo, NY. ERG has received consumer complaints alleging violations of the Fair Debt Collection Practices Act (FDCPA), including improper sharing of information and threatening to take actions that cannot legally be taken. If you have been contacted by ERG, understand your rights before responding.

33. The above-quoted text quoted in paragraph 32 above contains false statements.

34. The above-quoted text in paragraph 32 further contains misleading statements, which are designed to and in fact do create in the reasonable reader and certainly in the "least sophisticated consumer," through implication, suggestion and innuendo, the false inference that any complaints against Eastpoint were truthful or have been substantiated, when, in fact, they were never substantiated.

35. The second sub-heading on the Lemberg Eastpoint Site reads: "Is Eastpoint Recovery Group a Scam?"

36. The second sub-heading is designed to, and in fact does, create in the reasonable reader and certainly the "least sophisticated consumer," through implication, suggestion, and innuendo, the false inference that Lemberg is in possession of additional, unstated factual information to support its false statement of fact that Eastpoint is a "scam,"

when in fact Lemberg knows that Eastpoint is not a scam and Lemberg possesses no information that would support that statement.

37. The third sub-heading on the Lemberg Eastpoint Site is: “How many Complaints are there against Eastpoint Recovery Group – ERG?”.

38. Prior to the revisions made by Mr. Lemberg in response to Mr. Wells’ October 11, 2018 email, the third sub-heading on the Lemberg Eastpoint Site stated as follows:

As of December 2017, the Better Business Bureau (BBB) has closed 17 complaints against Eastpoint Recovery Group in the preceding 3 years, with 2 complaints closed in the past 12 months. Almost all of the complaints allege problems with billing and collections. As of June 2015, the Consumer Financial Protection Bureau (CFPB) has received 12 complaints about ERG. Justia lists at least 4 cases of civil litigation involving ERG.

39. The above-quoted text in paragraph 37 contained false statements.

40. For example, when the text referenced “17 complaints” to the BBB, it provided a link to the BBB page, which revealed that there have only been seven complaints filed against Eastpoint with the BBB over the course of the last seven years, not seventeen. *See* Exhibit B.

41. Eastpoint does not have sufficient knowledge at this point to allege how long the inaccurate statement regarding complaints filed against Eastpoint with the BBB was contained on the Lemberg Eastpoint Site.

42. The fourth sub-heading on the Lemberg Eastpoint Site is “Can you help me file a No Fee Lawsuit against Eastpoint Recovery Group Inc – ERG?”.

43. The text beneath the fourth sub-heading purports to describe “sample cases filed against Eastpoint.” These descriptions of “sample cases” begin with the false statement that “Complaints against Eastpoint Recovery Group cite allegations of rude and

abusive telephone conduct by its collections staff,” without identifying the complaints purportedly containing these allegations.

44. The Lemberg Eastpoint Site’s fifth sub-heading is: “Can Eastpoint Recovery Group Sue Me or Garnish My Wages?”

45. This sub-heading is followed by a paragraph containing the statements, “It is illegal for a debt collector to threaten to sue you or garnish your wages,” and “However, debt collection agencies are known to have summoned debtors to court and garnish wages after a default judgment.” The paragraph further states, “We’ve helped thousands of consumers fight back against unscrupulous debt collection harassers.”

46. The statements contained in the paragraph following the fifth sub-heading, described in paragraph 45 of this Complaint, are designed to, and in fact do, create in the reasonable reader, and certainly the “least sophisticated consumer,” the false inference through implication, suggestion and innuendo that, among other things, Eastpoint has illegally threatened to sue debtors or garnish their wages, that Eastpoint has actually taken improper legal action against debtors, and that Eastpoint is an “unscrupulous debt collection harasser,” when in fact none of these are true.

47. The Lemberg Eastpoint Site’s sixth sub-heading is: “Eastpoint Recovery Group ERG Calling You?”

48. Under this sub-heading is text saying, “Consumers have reported this agency harassing them from the following numbers,” followed by several phone numbers known to be associated with Eastpoint. Lemberg’s false statement does not identify the purported consumers or the substance of the alleged harassment.

49. The Lemberg Eastpoint Site's seventh sub-heading is: "Want to Stop Debt Collection Harassment Now?"

50. Under this sub-heading, Lemberg published a "debt harassment checklist," which lists such actions as improper timing or volume of phone calls, threats of violence or arrest, attempts to collect more than the debt owed, and obscene language.

51. The "debt collection checklist" is designed to, and in fact does, create in the reasonable reader, and certainly the "least sophisticated consumer" the false impression, through innuendo and suggestion, that Eastpoint has engaged in some or all of the behavior listed in the checklist, such as threats of violence or arrest, attempts to collect more than the debt owed, and use of obscene language, when in fact it has not.

52. The Lemberg Eastpoint Site also contains an embedded YouTube video entitled "Eastpoint Recovery Group Calling? | Debt Abuse + Harassment Lawyer" (the "Lemberg YouTube Video"). The video features Sergei Lemberg, the principal of Lemberg.

53. In the Lemberg YouTube Video, after Mr. Lemberg states some "facts" about Eastpoint, the following text appears along the bottom the screen as he speaks:

- a. "Violating the Telephone Consumer Protection Act"
- b. "\$1,500 per call for TCPA violations."
- c. "Repeatedly calling you"
- d. "Threatening you with lawsuits"
- e. "Failing to tell you they are debt collectors"
- f. "Calling you at work"
- g. "Talking to others about your debt"
- h. "Lying to you"

54. Taken together, the Lemberg YouTube Video's title (which appears on top of the screen throughout), the text appearing along the bottom, and Mr. Lemberg's spoken statements are designed to, and in fact do, create the false inference in the reasonable viewer, and certainly the "least sophisticated consumer," through implication, suggestion, and innuendo, that Eastpoint engages in "debt abuse" and "harassment," and that it has engaged in the behavior listed in paragraph 53(a)-(h) of this Complaint, when in fact it has not.

55. All of the false statements on the Lemberg Eastpoint Site and in the Lemberg YouTube Video, described above, have harmed Eastpoint's reputation in its local and broader business community by, among other things, falsely stating that Eastpoint is a "scam," that it has been sued more times than it actually has been, that consumers have made allegations against Eastpoint that cannot be verified as actually made from the information on the website and which would cause a reasonable reader to believe that those allegations were actually conduct engaged in by Eastpoint, that Eastpoint has "harassed" consumers from certain phone numbers when in fact it has not, and that Eastpoint has "apologized" for or otherwise acknowledged any of these allegations.

56. The Lemberg Eastpoint Site is attorney advertising, created and maintained for the purpose of attracting clients who have been contacted by Eastpoint and encouraging them to hire Lemberg to file lawsuits against Eastpoint.

57. Lemberg has knowingly and recklessly made false statements of fact about Eastpoint, or has intentionally used misleading statements of fact, to create the false impression in potential clients that Eastpoint has engaged in wrongdoing that has never been proven, in order to induce the potential plaintiffs to retain Lemberg and file a lawsuit against Eastpoint for violating the FDCPA, among other statutes and state laws.

58. As a direct result of the Lemberg Eastpoint Site and the Lemberg YouTube Video, Lemberg has asserted an extremely high volume of claims and/or commenced lawsuits, or which Eastpoint has had to expend money, time and other resources to defend, which has caused direct financial harm.

59. Furthermore, based upon the recent experience of Eastpoint's counsel in dealing with these cases with Jody Burton, Esq., the Managing Attorney of Lemberg, the demands made by Ms. Burton are often in excess of the maximum amount her client would be entitled to recover under the FDCPA at that time of the demand even if a violation of the FDCPA had occurred. Ms. Burton simply demands a certain amount to resolve matters pre-litigation and a higher amount for matters that have become lawsuits, without any regard for the limitations on damages contained in 15 U.S.C. 1692k or the specific allegations of the matter.

60. As a direct result of the Lemberg Eastpoint Site and the Lemberg YouTube Video, Eastpoint has been named in more lawsuits commenced by Lemberg than all other consumer firms in the United States combined in the last year, which has damaged Eastpoint's reputation, caused significant financial harm in the form of legal fees and the payment of settlement amounts to avoid litigation in which Eastpoint would have to pay the attorneys' fees of both its counsel and counsel for the consumer if even a minor technical violation of the FDCPA (such as a collector's failure to identify himself or herself as a debt collector after having spoken to the consumer on numerous occasions). *See* 15 U.S.C. 1692k(a)(2)(B).

61. As a direct result of the Lemberg Eastpoint Site and the Lemberg YouTube Video, an unknown number of consumers have developed the false impression that Eastpoint is a "scam" or engages in illegal or improper behavior, and have as a result declined to

issue payment to Eastpoint even for valid outstanding debt to which Eastpoint is legally entitled to collect upon, thereby damaging Eastpoint's business and finances and the compensation of its collectors.

62. Eastpoint continues to suffer this reputational and financial harm each day that the Lemberg Eastpoint Site and the Lemberg YouTube Video are so readily available on the internet. In the normal course of its business, Eastpoint legally contacts thousands of customers, many of whom decide to conduct an internet search about Eastpoint. The Lemberg Site and Video, displayed so prominently on search results, damage Eastpoint in each of these instances.

63. Eastpoint has always paid every settlement that it has entered into with a consumer. In most cases, the driving force to agree to a settlement is to avoid the potentially large exposure of having to pay counsel fees of both sides in litigation. *See* 15 U.S.C. 1692k(a)(2)(B). Eastpoint has, however, never experienced the volume of claims that have been asserted against it by Lemberg as a result of the Lemberg Eastpoint Site. Eastpoint is now in danger of having to cease its operations because it simply cannot afford to defend or settle the volume of claims that Lemberg is asserting against it.

64. The damage to Eastpoint's reputation is irreparable, and Eastpoint has no other remedy other than those requested through this Complaint.

FIRST CAUSE OF ACTION AGAINST LEMBERG
(Defamation)

65. Eastpoint repeats the allegations in paragraphs 1 through 64 as if fully set forth herein.

66. Lemberg's statements have had a tendency to expose Eastpoint to public hatred, contempt, ridicule, or disgrace.

67. Lemberg's statements referred to Eastpoint, and where they did not directly refer to Eastpoint, they were reasonably understood to refer to Eastpoint.

68. Lemberg published its statements by posting them on its freely available website and on YouTube.

69. Lemberg's statements were false.

70. Lemberg's statements were substantially untrue.

71. Lemberg knowingly published the false statements about Eastpoint.

72. Lemberg published the statements about Eastpoint in a grossly irresponsible manner, in that Lemberg failed to take consideration of the standards of information gathering and dissemination followed by responsible parties and intentionally presented such information in a way to cause consumers to believe that Eastpoint had engaged in conduct that Eastpoint has never been found "guilty" of engaging in.

73. Lemberg's statements have proximately caused damage to Eastpoint's reputation and standing in the community.

74. Lemberg's statements were a substantial factor in causing Eastpoint to suffer financial loss.

SECOND CAUSE OF ACTION AGAINST LEMBERG
(Injurious Falsehood)

75. Eastpoint repeats the allegations in paragraphs 1 through 74 as if fully set forth herein.

76. Lemberg knowingly published false and misleading statements about Eastpoint on its website and on YouTube.

77. Lemberg recklessly published false and misleading statements about Eastpoint on its website without regard to their consequences, which Eastpoint should have reasonably anticipated would damage Eastpoint.

78. The statements published by Lemberg were derogatory to Eastpoint, in that they, among other things, falsely stated that Eastpoint has been the subject of more complaints than it has been, falsely attributed certain allegations to Eastpoint that it was never actually proven to have engaged in, and created the false impression that unproven claims against Eastpoint had a valid basis, that Eastpoint has engaged in improper debt collection behavior, that Eastpoint is a “scam,” that Eastpoint has “harassed” debtors over the telephone, and many other false impressions about Eastpoint.

79. Lemberg published these false statements and used false suggestion and innuendo in a way calculated to harm Eastpoint and interfere with its relations with others all for the purpose of soliciting clients to hire Lemberg to make claims and/or commence lawsuits against Eastpoint.

80. Lemberg’s false statements and false suggestion and innuendo have been detrimental to Eastpoint, in that they have damaged Eastpoint’s reputation and standing in the community, and have caused financial harm to Eastpoint.

THIRD CAUSE OF ACTION AGAINST LEMBERG
(Permanent Injunction)

81. Eastpoint repeats the allegations in paragraphs 1 through 80 as if fully set forth herein.

82. Lemberg continues to publish false, misleading, defamatory, and injurious material on its website and on YouTube that has and will continue to cause reputational and financial harm to Eastpoint.

83. Eastpoint's business is, and will continue to be, irreparably harmed by the presence of Lemberg's false, misleading, defamatory and injurious material on its website and on YouTube.

84. Eastpoint has no adequate remedy at law to address Lemberg's continuing tortious conduct because it remains on Lemberg's website and on YouTube, and is prominently displayed by internet search engines when a search is conducted for "Eastpoint Recovery Group."

85. Eastpoint therefore requests a permanent injunction and, upon appropriate notice and application a preliminary injunction and temporary restraining order, pending the resolution of this action, restraining and prohibiting Lemberg, and anyone acting on their behalf, from publishing false, misleading, defamatory or injurious material on the Lemberg Website, YouTube, or on any other platform and/or staying the pending litigation commenced by Lemberg on behalf of consumers against Eastpoint.

FOURTH CAUSE OF ACTION
(Punitive Damages)

86. Eastpoint repeats and re-alleges the allegations contained in paragraphs 1 through 85 as if fully set forth herein.

87. Upon information and belief, Lemberg continues to maintain the Lemberg Eastpoint Site despite the fact that it clearly contains false information and false and misleading language that would cause a reasonable consumer, and certainly a "least sophisticated consumer," to believe that Eastpoint engages in a plethora of unlawful conduct.

88. Upon information and belief, Lemberg will continue to maintain the Lemberg Eastpoint Site despite the fact that it has been advised of the false and misleading content of that page unless the Court awards punitive damages against Lemberg.

89. Upon information and belief, an award of punitive damages in this case will deter Lemberg from engaging in the intentional, reckless, and misleading conduct specifically intended to defame Eastpoint and to solicit clients for the purpose of asserting claims against Eastpoint based upon the FDCPA, among other statutes and laws.

90. The conduct of Lemberg in maintaining the Lemberg Eastpoint Site goes far beyond mere negligence and should be punished and deterred.

91. Based on the foregoing, Eastpoint should be awarded punitive damages in the amount of \$100,000.

WHEREFORE, Eastpoint respectfully requests judgment as follows:

- a. On its First Cause of Action, a money judgment against Lemberg for special damages and consequential damages incurred as a result of Lemberg's defamatory statements, in an amount to be determined at trial which exceeds the jurisdictional threshold of all lower courts;
- b. On its Second Cause of Action, a money judgment against Lemberg for special damages and consequential damages incurred as a result of Lemberg's defamatory statements, in an amount to be determined at trial which exceeds the jurisdictional threshold of all lower courts;
- c. On its Third Cause of Action, a permanent injunction, and upon appropriate notice and application, a temporary restraining preliminary injunction and pending the outcome of this action, restraining and prohibiting Lemberg from publishing false, misleading, defamatory or injurious material on the Lemberg Website, YouTube, or on any other platform;
- d. On its Fourth Cause of Action, an award of punitive damages in the amount of \$100,000;

- e. Awarding such other and further relief as this Court deems just and proper.

Dated: October 12, 2018
Buffalo, New York

HODGSON RUSS LLP

By: 

Steven W. Wells

Peter H. Wiltenburg

The Guaranty Building

140 Pearl Street, Suite 100

Buffalo, New York 14202-4040

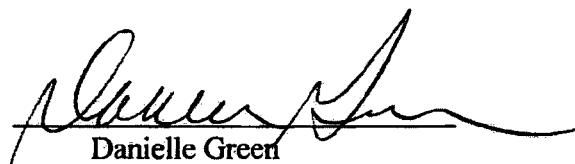
Telephone: 716.856.4000

Facsimile: (716) 849.0349

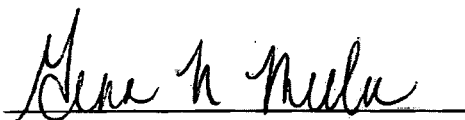
VERIFICATION OF COMPLAINT

STATE OF NEW YORK)
 : ss.
COUNTY OF ERIE)

I, Danielle Green, am the President of Eastpoint Recovery Group, the Plaintiff in the above-captioned action. I have read the foregoing Verified Complaint and know its contents. The facts presented in the document are true to my own knowledge, except as to matters stated to be upon information and belief, and as to those matters, I believe them to be true. The basis for this verification is my investigation of the subject matter of this action.


Danielle Green

Sworn to before me
this 15 day of October, 2018


Notary Public

GINA N MILLER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MI6295392
Qualified in Erie County
My Commission Expires 01-06-2022

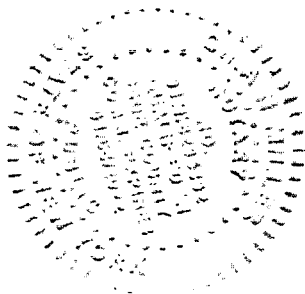


EXHIBIT A

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

Select A Case

Sergei Lemberg is an attorney in 126 cases.

<u>1:08-cv-00164-NAM-DRH</u>	Sisson et al v. Coachmen Recreation Vehicle Company, LLC et al	filed 02/11/08	closed 06/02/09
<u>1:09-cv-00018-LEK-CFH</u>	Seekamp v. It's Huge, Inc. et al	filed 01/07/09	closed 11/21/14
<u>1:09-cv-00253-LEK-DRH</u>	Garrett v. Mercedes-Benz USA, LLC et al	filed 03/03/09	closed 06/26/10
<u>1:09-cv-01260-GTS-RFT</u>	Sparacino v. Financial Credit Service, Inc. et al	filed 11/10/09	closed 04/21/10
<u>1:09-cv-01427-LEK-DRH</u>	Brown v. I.C. System, Inc. et al	filed 12/23/09	closed 03/23/10
<u>1:10-cv-00029-GLS-DRH</u>	Ledney v. GC Services, L.P. et al	filed 01/08/10	closed 06/24/10
<u>1:10-cv-00112-FJS-DRH</u>	Lopez v. Forster & Garbus, L.L.P. et al	filed 01/29/10	closed 05/10/10
<u>1:10-cv-00555-FJS-RFT</u>	Raiban v. Eltman, Eltman & Cooper, P.C. et al	filed 05/12/10	closed 10/26/10
<u>1:10-cv-00654-DNH-DRH</u>	Gray v. Atlantic Credit and Finance, Inc. et al	filed 06/03/10	closed 07/29/10
<u>1:10-cv-00775-DNH-RFT</u>	Lynch v. Financial Asset Management Systems, Inc. et al	filed 06/30/10	closed 10/27/10
<u>1:10-cv-00792-GTS-DRH</u>	Entress v. First Revenue Assurance, LLC et al	filed 07/02/10	closed 02/14/11

<u>1:10-cv-00871- NAM-RFT</u>	Donnelly v. Sharinn & Lipshie P.C. et al	filed 07/16/10	closed 06/15/11
<u>1:10-cv-00873- NAM-DRH</u>	Caufield v. CCB Credit Services Inc. et al	filed 07/16/10	closed 11/05/10
<u>1:10-cv-00945- NAM-RFT</u>	Cassano v. West Asset Management et al	filed 08/04/10	closed 11/03/10
<u>1:10-cv-01095- GLS-RFT</u>	Turner v. CMI Group et al	filed 09/13/10	closed 12/13/10
<u>1:10-cv-01323- TJM-RFT</u>	Polsinelle v. Cavalry Portfolio Services, LLC et al	filed 11/02/10	closed 12/23/10
<u>1:10-cv-01490- LEK-DRH</u>	Reed et al v. Oxford Management et al	filed 12/09/10	closed 04/15/11
<u>1:10-cv-01582- LEK-DRH</u>	Lewis v. MRS Associates, Inc. et al	filed 12/29/10	closed 03/07/11
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<u>1:10-cv-04571-RJD-RLM</u>	Talal v. Equifax Inc.	filed 10/04/10	closed 12/12/11
<u>1:10-cv-05156-ARR-VVP</u>	Ryan v. Erie Mitigation Group, LLC et al	filed 11/05/10	closed 02/04/11
<u>1:10-cv-05158-NGG-JMA</u>	Farrell v. EOS CCA et al	filed 11/05/10	closed 04/19/11
<u>1:10-cv-05575-CBA-SMG</u>	Heath v. Coast Professional Inc.	filed 12/02/10	closed 03/30/11
<u>1:10-cv-05723-BMC</u>	Palmeri v. Law Offices of Kevin Z. Shine, PLLC et al	filed 12/09/10	closed 01/12/11
<u>1:10-cv-05965-ENV-LB</u>	Collins v. Simm Associates, Inc. et al	filed 12/22/10	closed 03/30/11
<u>1:10-cv-05966-KAM-JMA</u>	Worthen v. Creditors Financial Group LLC et al	filed 12/16/10	closed 02/14/11
<u>1:11-cv-00685-SLT-JMA</u>	Murphy v. Law Office of Thomas Landis et al	filed 02/10/11	closed 04/04/11
<u>1:11-cv-00716-DLI-VVP</u>	Gonnely v. Sunrise Credit Services, Inc. et al	filed 02/11/11	closed 03/24/11
<u>1:11-cv-00849-FB-</u>	Grotto-Casalino v. Nelson, Hirsch &		

<u>SMG</u>	Associates, Inc. et al	filed 02/18/11	closed 06/16/11
<u>1:11-cv-00966- RRM-MDG</u>	Bassolino et al v. Scheinberg et al	filed 02/24/11	closed 04/26/11
<u>1:11-cv-01326-JG- SMG</u>	Besa v. Midland Credit Management et al	filed 03/17/11	closed 06/15/11
<u>1:11-cv-02210-JG- JO</u>	Carn v. Amsher Collection Services, Inc. et al	filed 05/04/11	closed 09/28/11
<u>1:11-cv-02222- CBA-JO</u>	Swift v. JNR Adjustment Company, Inc. et al	filed 05/05/11	closed 11/21/11
<u>1:11-cv-02449-FB- CLP</u>	Childs v. AvanteUSA, LTD et al	filed 05/19/11	closed 08/03/11
<u>1:11-cv-02615- DLI-SMG</u>	Gibbons v. First Resolution Investment Corp. et al	filed 05/31/11	closed 08/19/11
<u>1:11-cv-02616- WFK-CLP</u>	Colon v. National Recoveries, Inc. et al	filed 05/31/11	closed 03/07/12
<u>1:11-cv-03910- DLI-ALC</u>	Miller v. Portfolio Recovery Associstes, LLC et al	filed 08/11/11	closed 11/02/11
<u>1:11-cv-04076- KAM-JMA</u>	Martinez v. Receivables Performance Management, LLC et al	filed 08/22/11	closed 01/27/12
<u>1:11-cv-04077- RRM-ALC</u>	Kumar v. Associated Credit Services, Inc. et al	filed 08/22/11	closed 11/09/11
<u>1:11-cv-04079- NGG-RLM</u>	Pepe v. Sharinn & Lipshie PC Attorneys at Law et al	filed 08/22/11	closed 02/29/12
<u>1:11-cv-04151- BMC</u>	Pereira v. Bayside Chrysler Jeep, Inc.	filed 08/25/11	closed 10/20/11

<u>1:11-cv-04205- ERK-JO</u>	King v. Wescom Central Credit Union et al	filed 08/29/11	closed 05/31/12
<u>1:11-cv-04268- ARR-RML</u>	Giordano v. Conserve et al	filed 09/06/11	closed 01/03/12
<u>1:11-cv-05048- WFK-SMG</u>	Donovan v. Global Acceptance Credit Company et al	filed 10/17/11	closed 04/03/12
<u>1:11-cv-05130- BMC</u>	Brown v. Accounts Receivable Management, Inc. et al	filed 10/13/11	closed 11/16/11
<u>1:11-cv-05333- RRM-JMA</u>	Virella v. Accounts Receivable Management, Inc. et al	filed 10/31/11	closed 11/22/11
<u>1:11-cv-05334- SLT-RER</u>	Latham v. Nelson, Watson & Associates, L.L.C. et al	filed 10/31/11	closed 12/13/11
<u>1:11-cv-05465- NGG-RLM</u>	Thomas v. EOS CCA et al	filed 11/08/11	closed 02/24/12
<u>1:11-cv-05736- DLI-JO</u>	Etienne et al v. Diversified Collection Services, Inc. et al	filed 11/21/11	closed 03/30/12
<u>1:11-cv-06299- NG-VVP</u>	Worthen v. Midland Credit Management, Inc. et al	filed 12/23/11	closed 06/07/12
<u>1:12-cv-00211-JG- MDG</u>	Ruiz v. Diversified Collection Services, Inc. et al	filed 01/13/12	closed 08/08/12
<u>1:12-cv-00291- ERK-MDG</u>	Quillan v. Diversified Collection Services, Inc. et al	filed 01/19/12	closed 08/14/12
<u>1:12-cv-00549- ERK-JMA</u>	Burns v. ConServe et al	filed 02/03/12	closed 03/27/12
<u>1:12-cv-00693- SLT-CLP</u>	Cespedes-Arana v. Client Services, Inc. et al	filed 02/10/12	closed 03/28/12

<u>1:12-cv-01071- ENV-LB</u>	Patterson v. Capital Accounts, LLC et al	filed 03/02/12	closed 09/06/12
<u>1:12-cv-01175- MKB-RER</u>	Luna v. Daniels & Norelli, P.C. et al	filed 03/08/12	closed 06/08/12
<u>1:12-cv-01366- MKB-MDG</u>	Shaw v. Auto Palace, Inc.	filed 03/19/12	closed 01/18/13
<u>1:12-cv-02068- CBA-CLP</u>	Dennis v. Law Office of Harold E. Scherr P.A. et al	filed 04/26/12	closed 06/20/12
<u>1:12-cv-02069- DLI-JMA</u>	Andrade et al v. Receivables Performance Management, LLC	filed 04/26/12	closed 09/11/12
<u>1:12-cv-02406- NGG-JO</u>	Ortiz v. Source Receivables Management, LLC	filed 05/14/12	closed 07/31/12
<u>1:12-cv-02407- MKB-CLP</u>	Rivera v. Pioneer Credit Recovery, Inc. et al	filed 05/14/12	closed 06/26/12
<u>1:12-cv-02408- NGG-CLP</u>	Habeeb et al v. Enterprise Recovery Systems, Inc.	filed 05/14/12	closed 03/20/13
<u>1:12-cv-03418- ARR-VMS</u>	Morales v. Northeast Credit & Collections et al	filed 07/09/12	closed 02/25/13
<u>1:12-cv-03745- DLI-SMG</u>	Shimonov et al v. Monarch Recovery Management, Inc. et al	filed 07/27/12	closed 08/29/12
<u>1:12-cv-03746- DLI-RLM</u>	Phiifer v. Kirschenbaum & Phillips, P.C. et al	filed 07/30/12	closed 02/06/13
<u>1:12-cv-03885- RLM</u>	Gomez v. Monarch Recovery Management, Inc. et al	filed 08/03/12	closed 01/28/13
<u>1:12-cv-03888-</u>	Rose v. Enterprise Recovery Systems, Inc. et		

<u>NGG-VVP</u>	al	filed 08/03/12	closed 04/17/13
<u>1:12-cv-04005-ILG-RML</u>	Palacios v. Diversified Collection Services, Inc. et al	filed 08/09/12	closed 08/02/13
<u>1:12-cv-04007-FB-SMG</u>	Klein et al v. Forster & Garbus, LLP et al	filed 08/09/12	closed 03/12/13
<u>1:12-cv-04172-WFK-RML</u>	Sanchez v. Vengroff, Williams & Associates, Inc. et al	filed 08/20/12	closed 11/19/12
<u>1:12-cv-05172-DLI-CLP</u>	Alexis and Lois Phifer v. Immediate Credit Recovery, Inc. et al	filed 10/16/12	closed 01/18/13
<u>1:12-cv-05859-WFK-CLP</u>	Blythe v. Altitude Funding Associates LLC et al	filed 11/27/12	closed 04/11/13
<u>1:12-cv-06211-ENV-MDG</u>	LaGarenne v. Fair Collections & Outsourcing, Inc. et al	filed 12/17/12	closed 04/22/13
<u>1:13-cv-01632-ARR-CLP</u>	Aleshin v. Bureau of Accounts Control, Inc. et al	filed 03/26/13	closed 07/19/13
<u>1:13-cv-02801-ARR-JO</u>	Pozderac v. Diversified Consultants, Inc.	filed 05/06/13	closed 09/05/13
<u>1:13-cv-03073-SLT-RML</u>	Lefkowitz v. National Attorney Collection Services, Inc. et al	filed 05/24/13	closed 10/25/13
<u>1:13-cv-03664-CBA-SMG</u>	Stoney v. Cohen & Slamowitz, L.L.P. et al	filed 06/27/13	closed 10/17/13
<u>1:13-cv-03834-KAM-RML</u>	Penn v. United Tranzactions, LLC et al	filed 07/10/13	closed 08/30/13
<u>1:13-cv-04837-ARR-SMG</u>	Tejeda v. LV & V Associates	filed 08/27/13	closed 10/02/13

<u>1:13-cv-04839- CBA-VMS</u>	Mitchell v. Northern Auto Traders. LLC	filed 08/27/13	closed 03/20/14
<u>1:13-cv-06283- KAM-JMA</u>	Tkalych et al v. Mercedes-Benz USA, LLC	filed 11/12/13	closed 03/13/14
<u>1:13-cv-06407- SLT-LB</u>	Cameron v. DISH Network, LLC	filed 11/19/13	closed 01/22/15
<u>1:13-cv-06408- ERK-RLM</u>	Worthen v. Harley-Davidson Credit Corp.	filed 11/19/13	closed 06/16/14
<u>1:14-cv-00230- DLI-RER</u>	Scarola v. Citigroup, Inc. et al	filed 01/09/14	closed 04/15/14
<u>1:14-cv-00741- ARR-SMG</u>	Daniels v. Everest Receivable Services, Inc. et al	filed 02/04/14	closed 05/23/14
<u>1:14-cv-01621- MKB-RLM</u>	Olusesan v. Bluestem Brands, Inc.	filed 03/10/14	closed 08/04/14
<u>1:14-cv-01736- PKC-VVP</u>	Weaver v. Midland Credit Management, Inc. et al	filed 03/17/14	closed 07/23/14
<u>1:14-cv-01737- KAM-VVP</u>	Caldwell v. Collection Technology, Inc. et al	filed 03/17/14	closed 06/04/14
<u>1:14-cv-03265- MKB-RML</u>	Hatzioannide v. American Coradius International LLC et al	filed 05/23/14	closed 11/05/14
<u>1:14-cv-03863- RJD-LB</u>	Andrews v. Reliant Capital Solutions et al	filed 06/19/14	closed 11/28/14
<u>1:14-cv-07148- JBW-RML</u>	Cucuzza v. Wells Fargo Bank, N.A.. et al	filed 12/08/14	closed 07/15/15
<u>1:15-cv-00156-SJ- SMG</u>	Shapiro v. Pizza Club Slices & squares et al	filed 01/13/15	closed 02/09/16

<u>1:15-cv-00158-JG-RER</u>	Dellago v. New York State Catholic Health Plan, Inc. et al	filed 01/13/15	closed 12/22/15
<u>1:15-cv-00161-CBA-PK</u>	Cyr v. Contract Callers Inc.	filed 01/13/15	closed 07/07/16
<u>1:15-cv-00756-MKB-JO</u>	Boulay v. Bank of America Corp. et al	filed 02/12/15	closed 08/20/15
<u>1:15-cv-00989-JG-CLP</u>	Philippe et al v. Kings Autoshow, Inc.	filed 02/25/15	closed 10/15/15
<u>1:15-cv-01125-ILG-SMG</u>	Cancilla v. Cellco Partnership et al	filed 03/04/15	closed 06/24/15
<u>1:15-cv-01188-WFK-RML</u>	King v. Paradise Auto Sales I, Inc.	filed 03/06/15	closed 04/06/17
<u>1:15-cv-03162-PKC-SMG</u>	Gomola v. American Express	filed 06/01/15	closed 08/11/15
<u>1:15-cv-05251-PKC-PK</u>	Dhat v. Macy's, Inc.	filed 09/10/15	closed 01/06/17
<u>1:16-cv-00049-KAM-JO</u>	Hoskins v. Meridian Financial Services, Inc. et al	filed 01/05/16	closed 06/16/16
<u>1:16-cv-01089-MKB-PK</u>	Sebastian v. Seterus, Inc.	filed 03/04/16	closed 09/28/16
<u>1:16-cv-03001-AMD-RLM</u>	Andrade v. Eleftheria Rest Corp.	filed 06/09/16	closed 10/06/16
<u>1:16-cv-03508-KAM-RLM</u>	Worthen v. Defenders, Inc.	filed 06/24/16	closed 10/12/16
<u>1:16-cv-04146-FB-</u>			

<u>ST</u>	Kerr v. Monterey Financial Services, Inc.	filed 07/26/16	closed 03/16/17
<u>1:16-cv-05412-BMC</u>	Cali v. Samsung Electronics America, Inc.	filed 09/28/16	closed 10/26/16
<u>1:17-cv-01613-PKC-JO</u>	Kolokithias v. Convergent Outsourcing, Inc.	filed 03/22/17	closed 11/06/17
<u>1:17-cv-05970-RRM-CLP</u>	Redman v. NRA Group, LLC. et al	filed 10/12/17	closed 12/07/17
<u>1:17-cv-07571-ARR-ST</u>	O'Bryan v. Turtle Creek Assets, Ltd. et al	filed 12/29/17	closed 03/05/18
<u>1:18-cv-00187-NGG-SJB</u>	Dudkin v. Nissan North America, Inc.	filed 01/11/18	closed 07/27/18
<u>1:18-cv-02904-FB-VMS</u>	Reilly v. New York Chiropractic & Physical Therapy PLLC	filed 05/15/18	
<u>1:18-cv-04096-KAM-JO</u>	Rivera v. Prisma Glass & Mirror Inc.,	filed 07/17/18	
<u>2:07-cv-00918-ERK-WDW</u>	Paralikas v. Mercedes-Benz USA, LLC et al	filed 03/05/07	closed 05/20/08
<u>2:08-cv-04815-JFB-ARL</u>	Jorgensen v. Debt Recovery Solutions, LLC	filed 11/26/08	closed 02/04/09
<u>2:08-cv-04935-WDW</u>	Womoczyl et al v. Mercedes-Benz USA, LLC	filed 12/04/08	closed 11/17/11
<u>2:08-cv-04982-LDW-WDW</u>	Pinho et al v. Creditor's Interchange, Inc.	filed 12/11/08	closed 09/23/09
<u>2:09-cv-00014-TCP-ARL</u>	Kosovoy v. NCO Financial Systems, Inc.	filed 01/02/09	closed 04/01/09

<u>2:09-cv-00136-LDW-ETB</u>	Kosovoy v. United Recovery Systems, LP	filed 01/12/09	closed 05/21/09
<u>2:09-cv-00255-LDW-ETB</u>	Fernandez v. Major Nissan of Garden City, Inc. et al	filed 01/20/09	closed 12/01/09
<u>2:09-cv-01215-JS-MLO</u>	Bucello v. Mann Bracken, LLP	filed 03/23/09	closed 09/08/09
<u>2:09-cv-01216-SJF-AKT</u>	Gastaliturris v. Global Credit and Collection Corporation	filed 03/23/09	closed 11/18/09
<u>2:09-cv-01217-DRH-ETB</u>	Guido v. NRA Group, LLC	filed 03/23/09	closed 10/14/09
<u>2:09-cv-01257-JS-WDW</u>	Stalter v. CBCS National	filed 03/23/09	closed 07/08/09
<u>2:09-cv-01335-TCP-ARL</u>	Carpino v. Oxford Management Services, Inc.	filed 03/30/09	closed 09/08/10
<u>2:09-cv-01632-JFB-AKT</u>	De Jesus v. NCO Financial Systems, Inc.	filed 04/17/09	closed 10/30/09
<u>2:09-cv-02395-DRH-WDW</u>	Asencio v. Daniels, Norelli, Golden & Wexler, P.C.	filed 06/04/09	closed 12/08/11
<u>2:09-cv-02556-ADS-ETB</u>	Steward v. Diversified Collection Services, Inc.	filed 06/12/09	closed 08/21/09
<u>2:09-cv-03124-ADS-WDW</u>	Pearson v. Capital Management Services, LP	filed 07/20/09	closed 01/26/10
<u>2:09-cv-03125-JFB-WDW</u>	Small v. Ashton & Weinberg	filed 07/20/09	closed 11/04/09
<u>2:09-cv-03126-ADS-ARL</u>	Daigle v. Redline Recovery Services, LLC.	filed 07/20/09	closed 02/03/10

<u>2:09-cv-03127-LDW-ETB</u>	Borg v. Integrity Financial Partners, Inc.	filed 07/20/09	closed 11/30/09
<u>2:09-cv-03129-ADS-MLO</u>	Borg v. Sunrise Credit Services, Inc.	filed 07/20/09	closed 10/02/09
<u>2:09-cv-03497-SMG</u>	Sladic v. I.C. System, Inc.	filed 08/10/09	closed 02/08/11
<u>2:09-cv-03972-ADS-ARL</u>	Greco v. I.C. System, Inc.	filed 09/14/09	closed 02/05/10
<u>2:09-cv-04501-LDW-ETB</u>	Butto v. Miracle Financial, Inc. et al	filed 10/19/09	closed 07/16/12
<u>2:09-cv-04621-ADS-MLO</u>	Petite v. National Recovery Agency et al	filed 10/26/09	closed 04/09/10
<u>2:09-cv-04623-SJF-AKT</u>	Passaretti v. Pinnacle Financial Group, Inc. et al	filed 10/26/09	closed 03/15/10
<u>2:09-cv-05090-JFB-WDW</u>	Starken v. Midland Credit Management, Inc. et al	filed 11/16/09	closed 05/05/10
<u>2:09-cv-05091-ADS-AKT</u>	O'Leary v. Capital Management Services, L.P. et al	filed 11/17/09	closed 03/11/10
<u>2:09-cv-05609-DRH-ARL</u>	Hoffman v. First Revenue Assurance et al	filed 12/22/09	closed 05/05/10
<u>2:10-cv-00143-JFB-WDW</u>	Murphy v. Alliance One Inc. et al	filed 01/12/10	closed 07/27/10
<u>2:10-cv-00569-LDW-WDW</u>	Mills v. Miracle Financial, Inc. et al	filed 02/08/10	closed 02/15/11
<u>2:10-cv-01014-JS-</u>			

<u>ARL</u>	Sekur v. Corporate Receivables, Inc. et al	filed 03/03/10	closed 06/21/10
<u>2:10-cv-01299-LDW-WDW</u>	Rykowski v. Cohen & Slamowitz, L.L.P. et al	filed 03/22/10	closed 06/21/10
<u>2:10-cv-01300-LDW-ARL</u>	Cafiero v. Rubin & Rothman, LLC et al	filed 03/22/10	closed 03/29/11
<u>2:10-cv-01667-LDW-WDW</u>	Schettino v. Receivable Management Services Corp. et al	filed 04/12/10	closed 03/08/11
<u>2:10-cv-01875-ADS-AKT</u>	Torres v. FMS Financial Solutions et al	filed 04/26/10	closed 11/24/10
<u>2:10-cv-01877-JS-ARL</u>	Kushner v. Riddle & Associates, PC et al	filed 04/26/10	closed 06/21/10
<u>2:10-cv-02161-JFB-ARL</u>	Lezcano v. A & K Car Exports Corp.	filed 05/10/10	closed 11/15/10
<u>2:10-cv-02247-ADS-WDW</u>	Bell v. EOS CCA et al	filed 05/14/10	closed 07/08/11
<u>2:10-cv-02279-LDW-WDW</u>	Metzger v. First Source Advantage, LLC et al	filed 05/17/10	closed 07/28/10
<u>2:10-cv-02280-ADS-WDW</u>	Fairstone-Lubet v. RJM Acquisitions et al	filed 05/17/10	closed 05/18/11
<u>2:10-cv-02281-ADS-WDW</u>	Rebnicky v. Summit Collection Services, Inc. et al	filed 05/17/10	closed 04/09/11
<u>2:10-cv-02731-JFB-ARL</u>	Ryan v. National Credit Adjusters, LLC. et al	filed 06/14/10	closed 09/28/10
<u>2:10-cv-02733-JS-AKT</u>	Cannam v. United Collection Bureau, Inc. et al	filed 06/14/10	closed 08/05/10

<u>2:10-cv-02906- ADS-AKT</u>	Butto et al v. Collecto, Inc.	filed 06/23/10 closed 11/07/14
<u>2:10-cv-03335- SJF-AKT</u>	Bocchi v. Gutman Mintz Baker & Sonnenfeldt P.C. et al	filed 07/20/10 closed 10/27/11
<u>2:10-cv-03336- LDW-ETB</u>	Malone v. Creditors Financial Group, LLC et al	filed 07/20/10 closed 10/06/10
<u>2:10-cv-03574- SJF-WDW</u>	Lewis v. Northland Group Inc. et al	filed 07/30/10 closed 03/01/11
<u>2:10-cv-03575- LDW-ETB</u>	Nobles v. Rapid Recovery Solutions, Inc. et al	filed 07/30/10 closed 12/17/10
<u>2:10-cv-03727- DRH-WDW</u>	Brandau v. Client Services, Inc. et al	filed 08/12/10 closed 12/23/10
<u>2:10-cv-04127- DRH-WDW</u>	Campbell v. Nan Geist Fabor, P.C. et al	filed 09/07/10 closed 02/22/11
<u>2:10-cv-04289- ADS-ETB</u>	Thomas v. Mullooly, Jeffrey, Rooney & Flynn LLP et al	filed 09/20/10 closed 10/26/10
<u>2:10-cv-04290- LDW-ETB</u>	Luciano v. Capital Accounts, LLC et al	filed 09/20/10 closed 03/08/11
<u>2:10-cv-04420- JFB-ETB</u>	Stein v. Collection Company of America et al	filed 09/24/10 closed 08/09/11
<u>2:10-cv-04432- JFB-WDW</u>	Clarke v. Tate & Kirlin Associates, Inc. et al	filed 09/27/10 closed 02/02/11
<u>2:10-cv-04863-JS- WDW</u>	O'Connor v. Financial Asset Management Systems, Inc. et al	filed 10/22/10 closed 02/08/11
<u>2:10-cv-04864- LDW-WDW</u>	Soderlund v. CACSI et al	filed 10/22/10 closed 12/03/10

<u>2:10-cv-04865-LDW-ETB</u>	Augustin v. Forster & Garbus, LLP et al	filed 10/22/10	closed 07/11/11
<u>2:10-cv-05271-JFB-WDW</u>	Kinney v. GC Services Limited Partnership et al	filed 11/12/10	closed 05/27/11
<u>2:10-cv-05272-SJF-AKT</u>	Stoddart v. Monarch Recovery Management, Inc. et al	filed 11/12/10	closed 02/24/11
<u>2:10-cv-05548-ADS-ETB</u>	Roswell et al v. Kirschenbaum & Phillips, P.C. et al	filed 11/26/10	closed 03/10/11
<u>2:10-cv-05549-DRH-ETB</u>	O'Connor v. Meridian Financial Services, Inc. et al	filed 11/26/10	closed 03/08/11
<u>2:10-cv-06014-JFB-WDW</u>	Rebnicky v. Commonwealth Financial Systems, Inc. et al	filed 12/23/10	closed 06/30/11
<u>2:11-cv-00293-LDW-WDW</u>	Hochstrasser v. Diversified Consultants, Inc. et al	filed 01/18/11	closed 04/20/11
<u>2:11-cv-01327-SJF-AKT</u>	Tserpelis v. ALW Sourcing, L.L.C. et al	filed 03/17/11	closed 06/28/11
<u>2:11-cv-01862-LDW-ETB</u>	Bonaguro v. Portfolio Recovery Associates, et al.	filed 04/15/11	closed 03/20/12
<u>2:11-cv-02138-JFB-WDW</u>	Sanchez v. The Law Office of John P. Frye, PC et al	filed 04/28/11	closed 12/07/11
<u>2:11-cv-03453-JS-AKT</u>	Catti v. Zwicker & Associates, P.C. et al	filed 07/15/11	closed 09/26/11
<u>2:11-cv-04078-LDW-ARL</u>	Sapuy v. Protocol Recovery Service, Inc. et al	filed 08/22/11	closed 07/30/12
<u>2:11-cv-04528-</u>	Murphy et al v. Portfolio Recovery		

<u>ADS-AKT</u>	Associates, L.L.C. et al	filed 09/16/11	closed 11/23/11
<u>2:11-cv-04529-DRH-WDW</u>	Murphy v. Plaza Associates et al	filed 09/16/11	closed 02/09/12
<u>2:11-cv-04656-LDW-GRB</u>	Zulferino v. Peter T. Roach & Associates, P.C. et al	filed 09/23/11	closed 12/20/11
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PACER Service Center			
Transaction Receipt			
10/12/2018 10:29:32			
PACER Login:	hr037300:2730375:0	Client Code:	
Description:	Search	Search Criteria:	Last Name: Lemberg First Name: S Type: aty
Billable Pages:	6	Cost:	0.60

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604551/2016 06/17/2016	Full Participation Recorded Disposed	Christopher A. Tobin - v. - Ford Motor Company	Nassau County Supreme Court Other Matters - Contract Non-Commercial	File Documents
606405/2016 08/22/2016	Full Participation Recorded Disposed	Sofia Kapassakis et al - v. - Huntington Honda, Inc.	Nassau County Supreme Court Other Matters - Contract Non-Commercial	File Documents
606457/2016 08/24/2016	Full Participation Recorded Pre-RJI	KeeYee Shum - v. - FCA US LLC et al	Nassau County Supreme Court Other Matters - Contract Non-Commercial	File Documents
607225/2016 09/19/2016	Full Participation Recorded Pre-RJI	Richard V Beck - v. - FCA US LLC et al	Nassau County Supreme Court Other Matters - Contract Non-Commercial	File Documents
608344/2016 10/28/2016	Partial Participation Recorded Pre-RJI	Jahvis P. Williams - v. - Westbury Jeep Chrysler Dodge Inc.	Nassau County Supreme Court Other Matters - Contract Non-Commercial	File Documents
613304/2016 08/24/2016	Full Participation Recorded Disposed	John Campbell Jr. - v. - Ford Motor Company et al	Suffolk County Supreme Court Other Matters - Contract Non-Commercial	File Documents
613311/2016 08/23/2016	Full Participation Recorded Disposed	Charles E. Prete et al - v. - Ford Motor Company et al	Suffolk County Supreme Court Other Matters - Contract Non-Commercial	File Documents
613352/2016 08/24/2016	Full Participation Recorded Disposed	Katia Dieudonne - v. - Nissan North America, Inc. et al	Suffolk County Supreme Court Other Matters - Contract Non-Commercial	File Documents

Case # Received Date	eFiling Status Case Status	Caption	Court Case Type	Add Filings
613946/2016 09/07/2016	Full Participation Recorded Disposed	Regina C. Anello - v. - Ford Motor Company	Suffolk County Supreme Court Other Matters - Contract Non-Commercial	File Documents
650350/2012 02/06/2012	Approved for EF Disposed	Robert Lerch - v. - ARK Restoration & Design Ltd. et al	New York County Supreme Court Commercial	File Documents
708111/2016 07/11/2016	Partial Participation Recorded Pre-RJI	Natalya V Gasova - v. - Honda Motor Company, Inc. et al	Queens County Supreme Court Other Matters - Contract Non-Commercial	File Documents
71091/2015 12/29/2015	Full Participation Recorded Disposed	DISCOVER BANK - v. - MICHAEL A MARZANO	Westchester County Supreme Court Other Matters - Consumer Credit (Card) Original Creditor Plaintiff	File Documents

Case Search Results

You Searched On

Attorney Name: S Lemberg

[Modify Search](#) | [New Search](#)

Sort By: Claim/Index #

To view a case, click on the link

Case # Received Date	eFiling Status Case Status	Caption	Court Case Type	Add Filings
905155-16 09/06/2016	Full Participation Recorded Disposed	Richard Holton et al - v. - Forest River, Inc. et al	Albany County Supreme Court Other Matters - Contract Non-Commercial	File Documents
E159788/2016 10/17/2016	Full Participation Recorded Pre-RJI	Daquin Blondy - v. - Ford Motor Company	Niagara County Supreme Court Other Matters - Contract Non-Commercial	File Documents
EF006156-2016 09/08/2016	Full Participation Recorded Disposed	Willis G. Jones - v. - Ford Motor Company et al	Orange County Supreme Court Other Matters - Contract Non-Commercial	File Documents
EF007054-2016 10/17/2016	Full Participation Recorded Pre-RJI	Patrick O'Leary - v. - Ford Motor Company	Orange County Supreme Court Other Matters - Contract Non-Commercial	File Documents
EF007057-2016 10/17/2016	Partial Participation Recorded Disposed	Christopher V Felico - v. - General Motors LLC et al	Orange County Supreme Court Other Matters - Contract Non-Commercial	File Documents
EFA2016-001658 08/24/2016	Full Participation Recorded Pre-RJI	Kevin M. Allard et al - v. - Ford Motor Company	Oneida County Supreme Court Other Matters - Contract Non-Commercial	File Documents

NYSCEF System of Court Records Database (Live System)

Case Search Results

You Searched On

Party Name: j burton

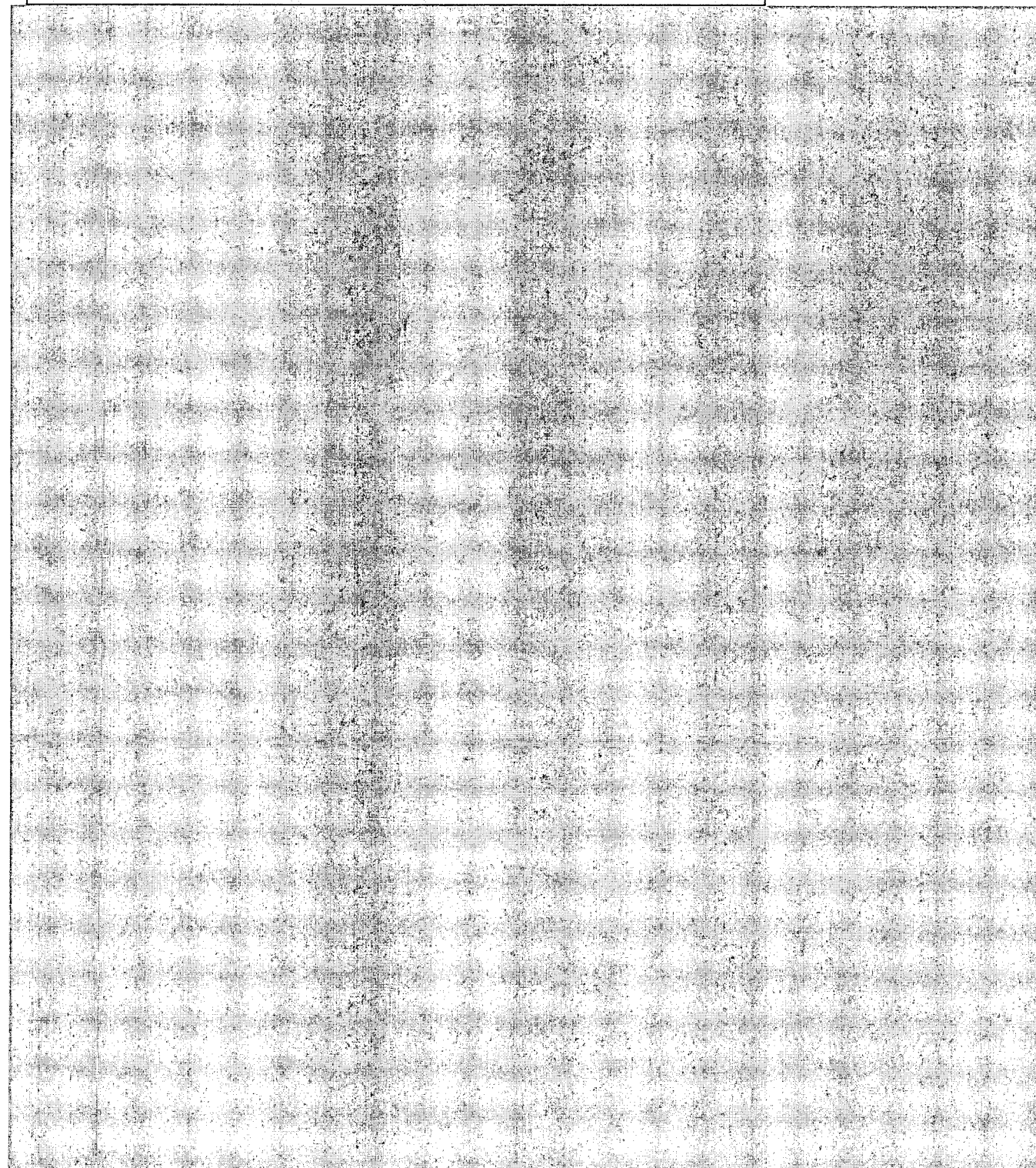
[Modify Search](#) | [New Search](#)

Sort By: Claim/Index #

To view a case, click on the link

Case # Received Date	eFiling Status Case Status	Caption	Court Case Type	Add Filings
002847/2018 03/19/2018	Partial Participation Recorded Pre-RJI	STATE OF NEW YORK - v. - JAMES M BURTON	Onondaga County Supreme Court Other Matters - Contract - Other	File Documents
066795/2012 07/25/2012	Approved for EF Pre-RJI	Jennifer Burton - v. - Clarkstown Town of	Rockland County Supreme Court Small Claims Assessment Review	File Documents
153575/2017 04/18/2017	Full Participation Recorded Disposed	JOHN DAVID BURTON - v. - 198 WEST 10TH STREET LLC et al	New York County Supreme Court Real Property - Other	File Documents
160223/2016 12/06/2016	Full Participation Recorded Pre-RJI	Jacqueline Burton et al - v. - Federal Signal Corporation	New York County Supreme Court Torts - Product Liability	File Documents
2014EF2265 06/16/2014	Partial Participation Recorded Pre-RJI	Capital One Bank (USA), N.A. - v. - Jack Burton	Onondaga County Supreme Court Consumer Credit Transaction	File Documents
2014EF772 03/11/2014	Partial Participation Recorded Pre-RJI	STATE OF NEW YORK - v. - JEFFREY J. BURTON	Onondaga County Supreme Court Contract (Non-Commercial)	File Documents
2015-52170 12/21/2015	Partial Participation Recorded Pre-RJI	Credit Acceptance Corporation - v. - Jacqueline B. Burton	Dutchess County Supreme Court Other Matters - Consumer Credit (Non-Card) Transaction	File Documents
21743/2018E 02/13/2018	Full Participation Recorded Pre-RJI	Jamal Burton - v. - Pascual E. Mendoza et al	Bronx County Supreme Court Torts - Motor Vehicle	File Documents
23071/2012E 12/07/2012	Approved for EF Pre-RJI	WALDRON NEWSOME - v. - JOHN BURTON et al	Bronx County Supreme Court Tort	File Documents
453298/2017 12/20/2017	Partial Participation Recorded Pre-RJI	The Commissioner of Labor of the State of New York - v. - Jessica A. Burton	New York County Supreme Court Torts - Other	File Documents
50438/2012 01/12/2012	Approved for EF Disposed	John Burton - v. - Carrie Tron	Westchester County Supreme Court Contract (Non-Commercial)	File Documents
513649/2018 07/03/2018	Partial Participation Recorded Pre-RJI	AMANDA MARIE DAVIS et al - v. - VICTORIA MOJICA et al	Kings County Supreme Court Torts - Motor Vehicle	File Documents
513852/2017 07/18/2017	Partial Participation Recorded Disposed	JAMES BURTON - v. - OMARI A THOMPSON et al	Kings County Supreme Court Torts - Motor Vehicle	File Documents
51963/2017 02/13/2017	Full Participation Recorded Disposed	BONNIE GLASSER - v. - MARY BURTON et al	Westchester County Supreme Court Torts - Other	File Documents
53945/2015 03/17/2015	Partial Participation Recorded Disposed	Coren Zelpha Burton - v. - Jeffrey J Burton	Westchester County Supreme Court Matrimonial	File Documents
54733/2011 08/23/2011	Waiting for Consent Disposed	CHAPPAQUA ROAD CO., L.L.C. - v. - JOHN BURTON	Westchester County Supreme Court Commercial	File Documents
54900/2011 08/29/2011	Partial Opt out Recorded Disposed	BARBARA ELLEN BRAMSON - v. - JOHN BURTON et al	Westchester County Supreme Court Commercial	File Documents
55067/2017 04/14/2017	Partial Participation Recorded Pre-RJI	Westchester Community College - v. - Jahmil Burton	Westchester County Supreme Court Other Matters - Contract Non-Commercial	File Documents
56774/2013 04/16/2013	Waiting for Consent Disposed	WESTPORT YOGA, LLC et al - v. - JOHN BURTON et al	Westchester County Supreme Court Commercial	File Documents
59582/2012 06/16/2012	Waiting for Consent Pre-RJI	MEENAN OIL CO, INC. - v. - JUSTIN BURTON	Westchester County Supreme Court Consumer Credit Transaction	File Documents
603544/2017 02/24/2017	Full Participation Recorded Active	Jeffrey K. Burton - v. - William J. Szmala	Suffolk County Supreme Court Torts - Motor Vehicle	File Documents
603773/2006 02/01/2007	Waiting for Consent Disposed	SHAWN WILLIAMS et al vs STEVEN SCHNEIDER et al		File Documents

Case # Received Date	eFiling Status Case Status	Caption	Court Case Type	Add Filings
			New York County Supreme Court Commercial	
605322/2017 06/08/2017	Full Participation Recorded Stayed	Eugenie Baptiste et al - v. - Incorporated Village of Freeport et al	Nassau County Supreme Court Torts - Other	File Documents
605746/2017 06/16/2017	Partial Participation Recorded Active	Progressive Advanced Insurance Company et al - v. - Jalil Burton et al	Nassau County Supreme Court Torts - Motor Vehicle	File Documents
607080/2015 07/07/2015	Partial Participation Recorded Disposed	ELAVON, INC. - v. - SPOTLITE RADIO LLC et al	Suffolk County Supreme Court Commercial	File Documents



Case Search Results

You Searched On

Attorney Name: j burton

[Modify Search](#) | [New Search](#)

Sort By: Claim/Index #

To view a case, click on the link

Case # Received Date	eFiling Status Case Status	Caption	Court Case Type	Add Filings
000910-2017 12/05/2017	Full Participation Recorded Active	Martha Ronsheim - v. - Henry G Everman	Livingston County Supreme Court Real Property -Other	File Documents
008509-2018 09/05/2018	Partial Participation Recorded Pre-RJI	SUNNYSIDE CARE CENTER, LLC d/b/a SUNNYSIDE CARE CENTER - v. - PATRICK PUFKI et al	Onondaga County Supreme Court Commercial - Other	File Documents
008608-2018 09/10/2018	Partial Participation Recorded Pre-RJI	Sunnyside Care Center LLC d/b/a Sunnyside Care Center - v. - Mary Charbonneau et al	Onondaga County Supreme Court Commercial - Other	File Documents
2014EF1190 04/04/2014	Full Participation Recorded Pre-RJI	Sunnyside Care Center, LLC - v. - Ines Rovito	Onondaga County Supreme Court Commercial	File Documents
2016EF2285 06/13/2016	Full Participation Recorded Pre-RJI	Sunnyside Care Center, LLC - v. - Nancy A. Brandt et al	Onondaga County Supreme Court Commercial - Contract	File Documents
2016EF2389 06/17/2016	Full Participation Recorded Disposed	Robin L Dumas - v. - Michael Venditte et al	Onondaga County Supreme Court Torts - Other Negligence	File Documents
2017EF2967 07/17/2017	Partial Participation Recorded Pre-RJI	Sunnyside Care Center, LLC - v. - Lawrence L. Brown et al	Onondaga County Supreme Court Commercial - Contract	File Documents
50438-2012 01/12/2012	Approved for EF Disposed	John Burton - v. - Carrie Tron	Westchester County Supreme Court Contract (Non- Commercial)	File Documents
65510-2013 09/30/2013	Full Participation Recorded Disposed	C&C Operating, Inc. - v. - Fireman's Fund Insurance Company, a company of Allianz et al	Westchester County Supreme Court Commercial Division	File Documents
E2018004134 06/04/2018	Full Participation Recorded Pre-RJI	Karen Freeman - v. - Rochester General Hospital et al	Monroe County Supreme Court Torts - Other Negligence	File Documents
EF2016-0210 12/09/2016	Partial Participation Recorded Disposed	Oak Hill Acquisition Company, LLC - v. - Mary L. Pellicciotti et al	Tompkins County Supreme Court Commercial - Contract	File Documents
EFCA2016-001553 08/09/2016	Full Participation Recorded Active	Bethany Operating Co., LLC - v. - Joanna Daniello et al	Oneida County Supreme Court Commercial - Contract	File Documents
EFCA2018-000737 03/15/2018	Partial Participation Recorded Pre-RJI	Bethany Operating Co, LLC d/b/a Bethany Gardens Skilled Living Center - v. - Sherman Pike et al	Oneida County Supreme Court Commercial - Business Entity	File Documents

EXHIBIT B



Better Business Bureau®

Near Snyder Square USA

Eastpoint Recovery Group, Inc.

Collections Agencies

This business is a collection agency.

26 Mississippi St Ste 200
Buffalo, NY 14203-3014

<http://www.eastpointrecoverygroup.com/>

Email this Business

(800) 459-2417

Accredited

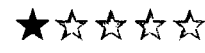
This business is not BBB Accredited

Years in Business: 7

BBB Rating



Customer Reviews

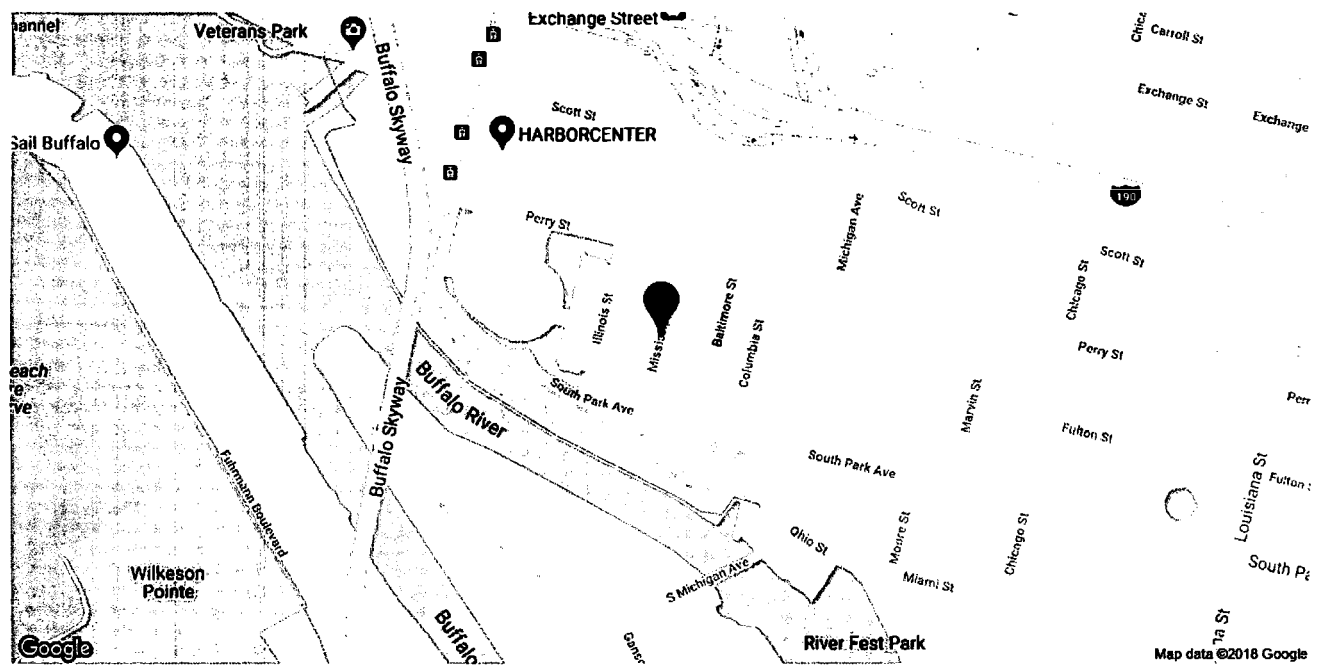


Average of 2 Customer Reviews

Customer Complaints

7 complaints closed in last 3 years

2 complaints closed in last 12 months



Business Details

Licensing Information

This business is an industry that may require professional licensing, bonding or registration. BBB encourages you to check with the appropriate agency to be certain any requirements are currently being met.

For Consumers

File a Complaint
BBB Scam Tracker
File an Auto Warranty Complaint
BBB Ad Truth

EXHIBIT C



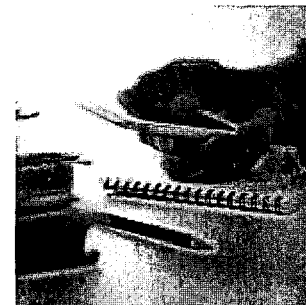
SEND **SECURE MESSAGE** TO LEGAL TEAM

Eastpoint Recovery Group ERG Collections Complaints. Stop the calls

Many consumers bring up complaints about harassing collection calls

February 15, 2018

Eastpoint Recovery Group Inc or ERG is a debt collection agency, which receives a lot of consumer complaints to our law firm for debt harassment. Find out who they are, why they might be calling, and how you can stop them.



Quick links:

[Who is?](#)

[Wage Garnishment?](#)

[Stop Them](#)

[Scam?](#)

[Lawsuits](#)

[Delete Credit Report](#)

[Complaints](#)

[Calling?](#)

What is Eastpoint Recovery Group – ERG?

Eastpoint Recovery Group Inc or ERG is a third-party collection agency located in Buffalo, NY. ERG has received consumer complaints alleging violations of the Fair Debt Collection Practices Act (FDCPA), including improper sharing of information and threatening to take actions that cannot legally be taken. If you have been contacted by ERG, understand your rights before responding.



MENU

LEMBERG LAW
TOP RATED ★★★★★ 18K CLIENTS



Have questions? We help consumers. Our services are absolutely FREE to you. Click [844-685-9200](tel:844-685-9200) 📞 NOW for a Free Case Evaluation. Or go ahead and fill out our Contact Form.

Is Eastpoint Recovery Group a scam?

According to the Better Business Bureau (BBB), Eastpoint Recovery Group, Inc. is a legitimate collection agency founded and incorporated in 2011. The BBB established ERG's profile page in 2012. ERG is listed as a collection agency.

According to its website, Eastpoint Recovery Group is "a professional receivables and collections management firm...that offers consumers the ability to work with our team of experienced professionals." ERG's objective is to offer "consumers resolutions that allow them to pay off their debts amicably, helping them to alleviate the stress of outstanding debt and enabling them to once again get their credit moving in a positive direction."

The Eastpoint Recovery Group website does not provide detailed information about its business practices or clientele, stating only that their "policies and procedures demand professional and considerate behavior." In addition, ERG offers a Resources page and an Issue Resolution page. The Resources page provides a link to the federally mandated Annual Credit Report website, which allows site visitors to request their credit reports at no cost. The Issue Resolution page includes a web-based contact form that site visitors can use to lodge complaints or make account inquiries. The bottom of the Issue Resolution page provides a legal disclaimer identifying Eastpoint Recovery Group as a debt collector.



As of December 2017, the Better Business Bureau (BBB) has closed 7 complaints against **Eastpoint Recovery Group** in the preceding 3 years, with 2 complaints closed in the past 12 months. Almost all of the complaints allege problems with billing and collections. As of October 2018, the Consumer Financial Protection Bureau (CFPB) has received 64 complaints about Eastpoint Recovery. Justia lists at least 4 cases of civil litigation involving ERG.

Contact Information

Eastpoint Recovery Group, Inc.

26 Mississippi St., Ste. 200

Buffalo, NY 14203

Telephone: (800) 459-2417

Website: <http://www.eastpointrecoverygroup.com/>

Can you help me file a No Fee Lawsuit against Eastpoint Recovery Group Inc – ERG?

Absolutely. Here are some Sample Complaints filed against Eastpoint


Complaints against Eastpoint Recovery Group cite allegations of rude and abusive telephone conduct by its collections staff. In October 2017, a complainant indicated she had been contacted by an ERG representative regarding a delinquent debt resulting from her purchase of a laptop computer. The complainant indicated that she had lost her job, so she could not continue making payments on the computer. Allegedly, a representative from Eastpoint Recovery Group began calling the complainant and her family to discuss the past due bill everyday “and threatened that she was going start having the complainant’s wages... garnished and saying that she was going to have someone come to the complainant’s work.” The complainant indicated that she asked someone to contact the representative, and that during the call the representative was “very rude saying all of this stuff about her relationship.” The complainant indicated that she intended to pay the bill when she was back to work, but in the meantime, she was “not sure why the representative is harassing her and her family... and that she needs to stop, as this is something that the complainant cannot pay right now.” The complainant alleged that the ERG representative “is an incompetent, inconsiderate person who needs to be let go from the company, as she is acting like the money that is owed is being paid directly to her.” The complainant indicated that she is “ready to seek legal help if she does not stop harassing me and my family.” In response, Eastpoint Recovery Group apologized,




In February 2017, a complainant indicated that he had been contacted by Eastpoint Recovery Group regarding a delinquent debt. Allegedly, Eastpoint had been “harassing him and threatening to put liens on his house.” In addition, the complainant alleged that ERG had been “finding the names and phone numbers of family members and contacting them as well,” although the delinquent debt had “nothing to do with outside family members.” The complainant indicated that ERG “should NOT be contacting... people who have no association... with my account and discussing personal information,” and that he had “contacted an attorney.” In response, Eastpoint Recovery Group indicated they had received the complaint and “removed it from production while they investigate the claims.”

Can Eastpoint Recovery Group Sue Me or Garnish My Wages?

It is illegal for a debt collector to threaten to sue you or garnish your wages. It is also unlikely ERG would sue you for a debt you may not owe or they cannot validate. However, debt collection agencies are known to have summoned debtors to court and garnish wages after a default judgement. Contacting an attorney BEFORE this could possibly happen would be a smart move. We’ve helped thousands of consumers fight back against unscrupulous debt collection harassers. Find out if we can help you too today!

Click [844-685-9200](tel:844-685-9200)  NOW to call us or go ahead and fill out our Contact Form. Our services are absolutely FREE to you

Eastpoint Recovery Group ERG Calling You?

Understand your debt collection rights 

The Fair Debt Collections Practices Act (FDCPA) and the Fair Credit Reporting Act (FCRA) are enforced by the Federal Trade Commission (FTC) and the Consumer Financial Protection Bureau (CFPB). The FDCPA regulates the behavior of collection agencies by prohibiting actions such as the use of abusive or threatening language; harassment; or the use of false or misleading information to collect a debt.



illustrates how these laws can be extremely effective tools to hold accountable collection agencies who fail to adhere to their provisions.

These laws also provide individuals with a means to seek monetary damages in court. For example, the FDCPA allows consumers who have been violated to recover damages of up to \$1,000, plus attorney fees and court costs.

Seek legal assistance to find the relief you may be entitled to if you are having difficulty resolving disputes with a debt collection agency.

Consumers have reported this agency harassing them from the following numbers:

8004592417

7163620462

7162561708

Want to Stop Debt Collection Harassment Now?

Your debt harassment checklist:

- You are receiving multiple calls per week from third party collection agencies
- You are receiving early morning or late night calls from debt collectors
- You are receiving calls at work from a debt collection agency
- Debt collectors are calling your friends, neighbors, or coworkers
- Collectors are threatening you with violence, lawsuit, or arrest
- A debt collector attempts to collect more than you owe
- You are being threatened with negative credit reporting
- A debt collector attempts to intimidate you
- Criminal accusations are being made towards you
- Use of obscene language during an attempt to collect
- Automated robocalls are being made to your phone in an attempt to collect

If you've been harassed by debt collectors and even one of these has happened to you, we can help. We will fight for your rights.

We can make them STOP! 📞



What Our Clients are Saying

"We realize that ours is just one small case among many – and many more serious – but are heartened by the fact that you accepted it and represented us with a professionalism that belied the small dollar amount."

"If you are unsure about this company...DONT BE!!! They are for real when they say they are here to help you. It only takes a few short minutes of your time to talk to a rep. I was a skeptic, but you did everything you said you would! I can't say thank you enough!"

"Lemberg Law has saved me from the endless calls, and harassing voicemails. They really do go to bat for you. I didn't know that debt collection agencies can end up paying your legal bill. What a surprise, to receive free legal help. I'm very grateful for all the hard work they did to finally give me my life back."

"I won't be afraid to contact you or recommend your services to others for debt collection difficulties. Please keep up the outstanding work you do, and again, thank you for helping me through this challenging time. I am most grateful."

Can You Help Me Delete Eastpoint Recovery Group ERG from My Credit Report?

We can absolutely help. Call us today.

Sound Off!

Have you had a bad experience with this agency's debt collectors? Sound off and share your experience with other visitors in the comment box below.

Tags:

Collection Agencies

Comments:

March 12, 2018 at 1:13 pm, T. K. said:



offensive language. They have also called family members that have nothing to do with the account. I asked them to make payments on the account and I was told that I could not, that it had to be paid in full up front. I cannot pay over \$1000.00 at once. Then they told me I had to make in only 2 payments and if I did not make a payment they were garnish my wages. They call at least 2 times a day and at least 5 – 6 times a week. Very rude and unprofessional. I want the calls to stop and the harassment to stop.



July 12, 2018 at 1:31 pm, D. G. said:

They do not need to contact my employer. Im seriously so embarrassed!!

Leave a Reply — or — your legal concerns

Please include your contact information so we can contact you.
Your contact info will NOT be published.

What's your comment or legal concern?

Your name (will not be published)*

Your email (will not be published)*

Your phone (will not be published)*



SEND **SECURE MESSAGE** TO LEGAL TEAM

Consumer attorneys.
At your service.

Call 855-301-2100



Lemberg Law is committed to empowering consumers.
The firm's main office is located at 43 Danbury Road, Wilton, Connecticut.



This website is attorney advertising: prior results do not guarantee a similar outcome. This is not legal advice. Sergei Lemberg, Esq., is the Connecticut attorney responsible for this advertisement. [See the jurisdictions](#) in which our lawyers are licensed, admitted, or otherwise authorized to practice.

Do not assume that you are entitled to any compensation as a result of the consumer complaints you have. Compensation for potential legal violations, and any results obtained, depends upon the specific factual and legal circumstances of each case.

© Lemberg Law LLC

EXHIBIT D

Google

Eastpoint Recovery Group



All Maps News Shopping Images More Settings Tools

About 492,000 results (0.58 seconds)

Eastpoint Recovery Group ERG Collections Complaints. Stop the calls

<https://www.lembergglaw.com> > ... > Info & complaints > Eastpoint Recovery Group ▼

★★★★★ Rating: 1 - Review by BBB Complaint

Feb 15, 2018 - Eastpoint Recovery Group Inc or ERG is a debt collection agency, which receives a lot of consumer complaints to our law firm for debt ...

Eastpoint Recovery Group, Inc. - Home

www.eastpointrecoverygroup.com/ ▼

Welcome to Eastpoint Recovery Group Inc. As a professional receivables and collections management firm, we offer consumers the ability to work with our team ...

Contact Us · Issue Resolution · Resources

Eastpoint Recovery Group, Inc. | Better Business Bureau® Profile

<https://www.bbb.org/us/ny/buffalo/.../eastpoint-recovery-group-inc-0041-235968042> ▼

I have received multiple, harassing and argumentative phone calls from Laurie S*** of Eastpoint Recovery Group. I have been working with Laurie to pay dow...

Videos



Eastpoint Recovery Group Calling? | Debt Abuse + Harassment Lawyer
Sergei Lemberg
YouTube · Nov 21, 2014



Stop Eastpoint Recovery Group Debt Harassment
Michael Agruss
YouTube · Feb 15, 2015



Fairway Capital Recovery Calling? | Debt Abuse + Harassment Lawyer
Sergei Lemberg
YouTube · Feb 22, 2015

Eastpoint Recovery Group, Inc. | Complaints | Better Business Bureau ...

<https://www.bbb.org/us/ny/buffalo/profile/.../eastpoint-recovery-group-.../complaints> ▼

View customer complaints of Eastpoint Recovery Group, Inc.. BBB helps resolve disputes with the services or products a business provides.

Are You Being Harassed by Eastpoint Recovery Group, Inc.? - Florida ...

www.floridadebtfighters.com/fdcpa-rights/.../harassed-eastpoint-recovery-group-inc/ ▼

Eastpoint Recovery Group is a debt collection agency located in Buffalo, New York.

Eastpoint Recovery is known to the Consumer Financial Protection Bureau, ...

Eastpoint Recovery Group, Inc - Home | Facebook

<https://www.facebook.com> > Places > Buffalo, New York > Financial Service ▼

★★★★★ Rating: 3.5 - 13 votes

Eastpoint Recovery Group, Inc. Buffalo, New York. 238 likes · 6 were here. Welcome to Eastpoint Recovery Group Inc. a professional receivables and...

Eastpoint Recovery Group, Inc - CFPB Complaint - Get Out of Debt Guy

<https://getoutofdebt.org> > Scam Reporter > CFPB Complaint ▼

Dec 11, 2017 - Prior to placing the call, I searched for information about Eastpoint Group because both calls sounded suspicious. I found that Eastpoint was a ...

WARNING: Eastpoint Recovery Group - Debtorboards

www.debtorboards.com > The Players > Collectors and Agencies ▼

Nov 16, 2011 - The number they leave in messages is: 716-989-0973. Phone number from website: 800-459-2417. Their address: Eastpoint Recovery Group, ...

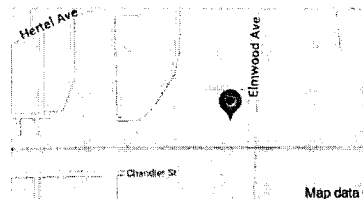
Eastpoint Recovery - Should we sue?

Apr 4, 2015

Eastpoint Recovery Group

May 23, 2013

More results from www.debtorboards.com



Eastpoint Recovery Group

Website

Directions

Save

3.6 ★★★★★ 11 Google reviews

Business management consultant in Buffalo, Ne

Address: 1738 Elmwood Ave Suite 104, Buffalo 14207

Hours: Open · Closes 6PM ▼

Phone: (800) 459-2417

Suggest an edit

Know this place? Answer quick questions

Questions & answers

Be the first to ask a question

Ask a

Reviews from the web

3.5/5 Facebook · 13 votes

Send to your phone

Reviews

11 Google reviews

Write a review

Add

People also search for

View



ABC-Ame... Inc.
Business to Business Service



Center One LLC
Call Center



The Northstar Companies
Office



Cor Bus Mar Con

EXHIBIT E

REDACTED

From: Sergei Lemberg [mailto:slemberg@lemborglaw.com]

Sent: Thursday, October 11, 2018 1:01 PM

To: Wells, Steven W. <SWells@hodgsonruss.com>

Cc: Jody Burton <jburton@lemborglaw.com>

Subject: RE: Eastpoint Webpage

Steven, pertaining to the page below:

- you're right. There are 7, not 17 complaints with BBB. That's a typo.
- you're right on the CFPB complaints as well. There are 64 now, not 12 we listed on the page previously.

Finally, I decline your request for the removal of the page. See attached decision.

Thank you.

<https://www.lemborglaw.com/eastpoint-recovery-group-erg-collections-complaints-calls/>

Wells, Steven W. [mailto:]

Sent: Thursday, October 11, 2018 12:43 PM

To: Jody Burton

Subject: Eastpoint Webpage

Jody,

I am renewing my demand that your firm take down that portion of its online profile that specifically pertains to Eastpoint. There are a number of inaccurate statements contained in the webpage including the number of complaints filed against Eastpoint with the BBB and with the CFPB. In addition, by referencing unsubstantiated allegations contained in complaints on the webpage, you are causing consumers to believe that those allegations are actually true and that Eastpoint engaged in the conduct alleged in the complaints. To the best of my knowledge, none of those allegations have ever been ruled upon by any court. Furthermore, using the "least sophisticated consumer" standard, most consumers do not even know the difference between allegations contained in complaints and conduct that was proven to have been taken by Eastpoint. Accordingly, the webpage is false and misleading and results in defamation and libel. Your unlawful conduct has caused an unusually high number of claims by consumers that your firm represents. I have been representing Eastpoint, with the exception of 1-2 years, since its inception and have never seen anything like this.

My client has advised me that, if you refuse to take down the website, I am to commence a lawsuit against Lemburg Law in which you would also be named as a defendant. Please indicate by the close of business today whether you will agree to take down the website pertaining to Eastpoint.

Eastpoint hereby reserves all of its rights and remedies.

Steve

Steven W. Wells

Partner

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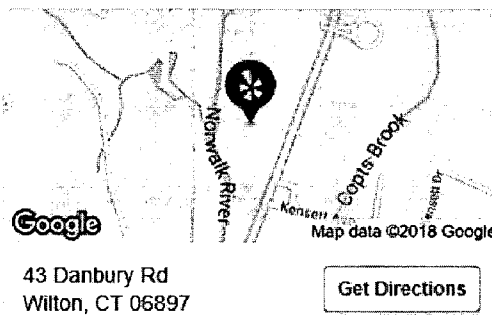
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EXHIBIT F

**Sergei L.**
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